

UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Kasey Deshawn Merritt

Case: 2:21-mj-30013

Assigned To : Unassigned

Assign. Date : 1/12/2021

CMP: USA v MERRITT (MAW)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 11, 2020 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

*Code Section**Offense Description*

18 U.S.C. 922(k)

Possession and/or receipt of a firearm with an obliterated serial number

This criminal complaint is based on these facts:


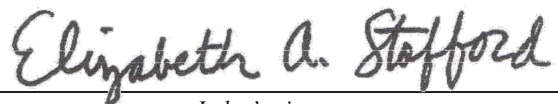
See attached AFFIDAVIT.

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

January 12, 2021

Date: _____

City and state: Detroit, Michigan*Complainant's signature*Kenton Weston, Special Agent (ATF)*Printed name and title**Judge's signature*Hon. Elizabeth A. Stafford, United States Magistrate Judge*Printed name and title*

AFFIDAVIT IN SUPPORT OF AN CRIMINAL COMPLAINT

I, Kenton Weston, being first duly sworn, hereby state:

1. I have been employed as a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) since January 2018. I am currently assigned to the Detroit Field Division, Crime Gun Enforcement Team (CGET) where I am tasked with investigating violations of federal firearms laws. I have been involved in dozens of investigations involving violations of federal firearms laws, which have resulted in the seizure of hundreds of firearms. In addition, I graduated from the Federal Law Enforcement Training Center, and ATF Special Agent Basic Training.

2. I make this affidavit from personal knowledge based on my participation in this investigation, from witness interviews conducted by myself and/or other law enforcement agents, reports from other law enforcement agents, communications with others who have personal knowledge of the events and circumstances described herein, and information gained through my training and experience.

3. The information in this affidavit is for the limited purpose of establishing probable cause and does not contain all details or all facts relating to this investigation.

4. I am currently investigating Kasey Deshawn Merritt, date of birth xx/xx/1997, for violating 18 U.S.C. § 922(k), possession and/or receipt of a firearm with an obliterated serial number.

PROBABLE CAUSE

5. On December 11, 2020, Livonia Police Department (LPD) was dispatched to a car accident on I-96, Eastern District of Michigan. Upon their arrival they observed a white 2020 Chrysler Town and Country, one front passenger, and the driver Kasey Merritt.

6. Prior to being transported to a hospital for his injuries, Merritt informed LPD Officer Kenneth Thomas that he had a pistol in the front of the waistband of his pants. An officer worn body camera recorded Merritt stating “before you pat me down I have a pistol on me so don’t be alarmed.” Immediately thereafter, from the waistband of Merritt’s pants, Officer Thomas retrieved a loaded Glock 43x 9mm semi-automatic pistol with an extended magazine inserted into the firearm. The extended magazine contained seven live rounds of assorted

9mm ammunition. Officer Thomas inspected the handgun at the scene and observed that the serial number had been intentionally scratched off except for a "3" (located on the slide of the firearm) *See figure 1*. Due to the condition of the firearm, Officer Thomas was unable to determine whether the pistol was registered.

7. A query of the Law Enforcement Information Network indicated that MERRITT did not have a valid CPL.



Figure 1: Glock 43x handgun

8. On December 14, 2020, Special Agent Kara Klupacs and I interviewed Merritt. During this interview, Merritt made the following statements:

- a. He had purchased the firearm for approximately \$900 to \$1,000;

b. He possessed the firearm for approximately 30 to 45 days; and

c. He needed the firearm for protection.

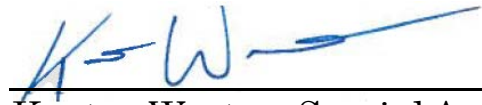
9. Merritt was asked “Why did you take the serial number off it?” Merritt replied “I didn’t do that, I bought it that way.”

10. On December 15, 2020, I contacted Special Agent Dave Salazar, an ATF Interstate Nexus Expert, and gave him a verbal description of the firearm. Based upon the verbal description, Special Agent Salazar advised that the firearm is a firearm as defined under 18 U.S.C. § 921 and was manufactured outside of the state of Michigan after 1898. Therefore, the weapon traveled in and affected interstate commerce.

CONCLUSION

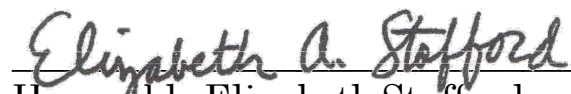
11. Probable cause exists that Kasey Deshawn Merritt possessed and/or received a firearm with an obliterated serial number, in violation of 18 U.S.C. § 922(k).

Respectfully submitted,



Kenton Weston, Special Agent
Bureau of Alcohol, Tobacco,
Firearms and Explosives

Sworn to before me and signed in my
presence and/or by reliable electronic means.



Honorable Elizabeth Stafford
United States Magistrate Judge